

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

March 13, 2009

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

PSF No.: 09KD-003

Kauai

Set Aside to Department of Land and Natural Resources,
Department of Forestry and Wildlife for Remote Automatic
Weather Station and Division Related Purposes and Immediate
Issuance of a Right-of-Entry Permit, Waimea, Kauai, Tax Map
Key: (4) 1-2-11: 16.

APPLICANT:

Department of Land and Natural Resources, Division of Forestry
and Wildlife

LEGAL REFERENCE:

Section 171-11, Hawaii Revised Statutes (HRS), as amended.

LOCATION:

Portion of Government (Crown) lands of Waimea situated at Waimea,
Kauai, identified by Tax Map Key: (4) 1-2-11: 016, as shown on
the attached map labeled Exhibit A.

AREA:

5.011 acres, more or less.

ZONING:

State Land Use District: Urban/Conservation
County of Kauai CZO: Open

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State
Constitution: NO

CURRENT USE STATUS:

Vacant and unencumbered.

PURPOSE:

Remote Automatic Weather Station and Division Related purposes.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

This action before the Board is merely a transfer of management jurisdiction and does not constitute a use of State lands or funds, and therefore, this action is exempt from the provisions of Chapter 343, HRS, relating to environmental impact statements.

Inasmuch as the Chapter 343 environmental requirements apply to Applicant's use of the lands, the Applicant shall be responsible for compliance with Chapter 343, HRS, as amended.

APPLICANT REQUIREMENTS:

Applicant shall be required to:

- 1) Provide survey maps and descriptions according to State DAGS standards and at Applicant's own cost.

REMARKS:

Parcel 16 is a portion of the Waimea Heights Residential Subdivision, First Increment and has been unencumbered 1975.

The Department of Forestry and Wildlife has secured Draught Mitigation Funds to purchase five (5) Remote Automated Weather Stations (RAWS). These (RAWS) are free standing weather stations that provide data through satellite from centralized locations.

The weather data from these RAWS will be utilized for the Hawaii Fire Danger Rating System as well as general weather information. Most importantly to help predict possible weather conditions and changes when fighting wild land fires.

In the future, the National Marine Fisheries Service (NOAA) can also use the data collected from the RAWS for their Red Flag Warning System.

The following Agencies were solicited for comments and no comments were received:

Department of Hawaiian Homes
DLNR-Aquatic Resources
Office Of Hawaiian Affairs

County of Kauai, Planning Department

County of Kauai, Public Works

The following Agencies did respond:

Department of Health

We have reviewed the subject proposal submitted and have no environmental health concerns to offer for your consideration at this time.

Historic Preservation

We determine that there will be no effect to historic properties by this project because: residential development/urbanization has altered the land.

Office of Conservation and Coastal Lands
See Exhibit B

Department of Transportation-Highways Division

We have reviewed the subject request and have no comments or objections to the request. The proposed installations should not significantly affect traffic on our highway.

DOFAW has requested a right-of-entry for management, construction and maintenance of this site. The RAWs units will be shipped to Kauai in March and DOFAW will be scheduling install in April in perpetration for the summer.

RECOMMENDATION:

That the Board, subject to Applicant fulfilling the Applicant Requirements above:

1. Approve of and recommend to the Governor the issuance of an executive order setting aside the subject lands to Department of Land and Natural Resources, Division of Forestry and Wildlife under the terms and conditions cited above, which are by this reference incorporated herein and subject further to the following:
 - A. The standard terms and conditions of the most current executive order form, as may be amended from time to time;
 - B. Disapproval by the Legislature by two-thirds vote of either the House of Representatives or the Senate or by a majority vote by both in any regular or special session next following the date of the setting aside;
 - C. Review and approval by the Department of the Attorney General; and

- D. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.
2. Authorize the issuance of an immediate ^{management} right-of-entry permit to the Division of Forestry and Wildlife, which are by this reference incorporated herein and further subject to the following:
- A. The standard terms and conditions of the most current right-of-entry permit form, as may be amended from time to time; and
- B. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

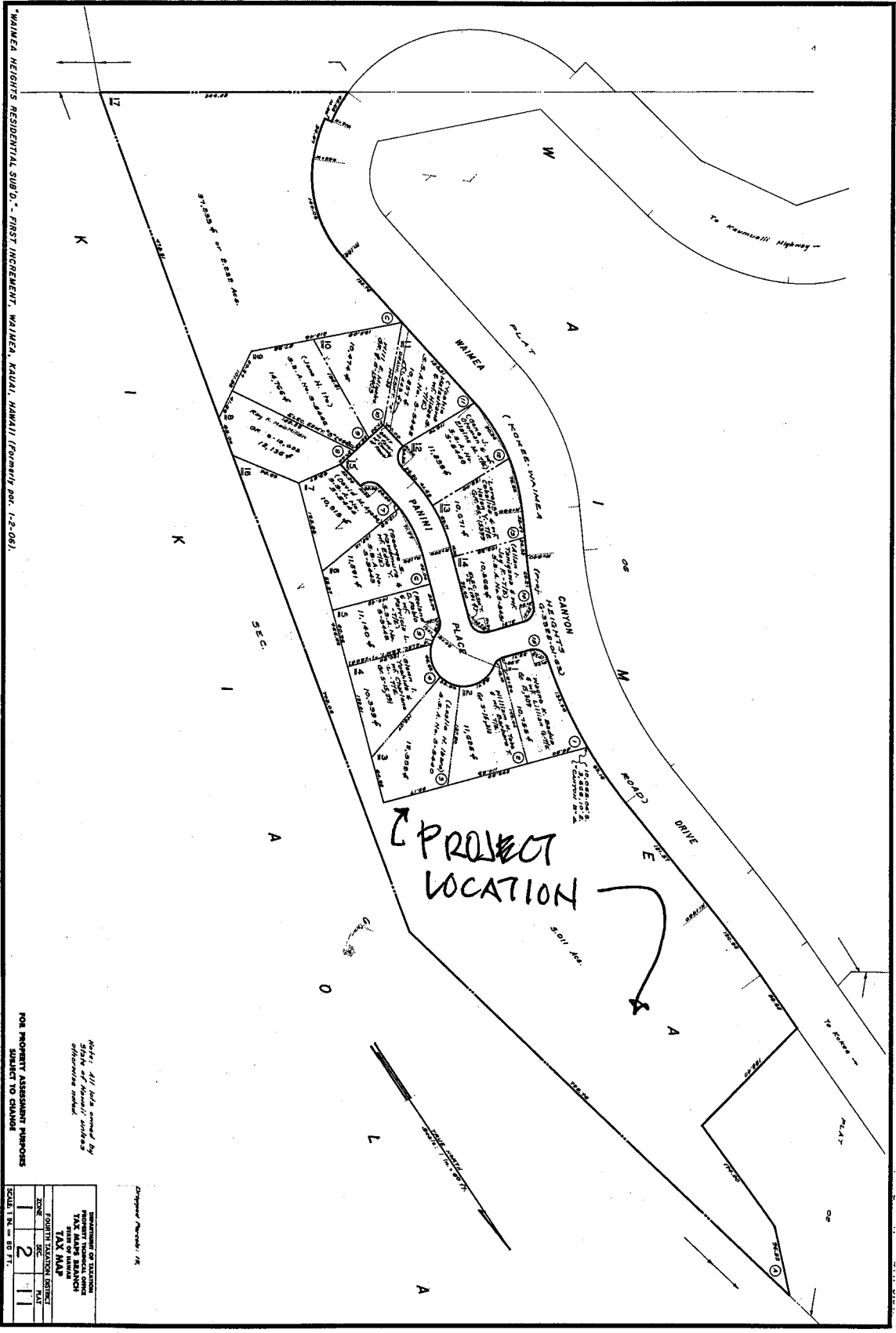
Respectfully Submitted,

Chiaulene B. Umotui

for Tommy Oi
Kauai District Land Agent

APPROVED FOR SUBMITTAL:

[Signature]
Laura H. Thielen, Chairperson *hmo*



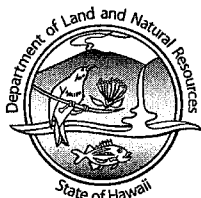
Notes: All lots owned by State of Hawaii unless otherwise noted.

FOR PROPERTY ASSESSMENT PURPOSES
SUBJECT TO CHANGE

TAX MAP			
ZONE	SEC.	TAX	DATE
1	2	11	

EXHIBIT "A"

LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
OFFICE OF CONSERVATION AND COASTAL LANDS

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

LAURA H. THIELEN
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

RUSSELL Y. TSUJI
FIRST DEPUTY

KEN C. KAWAHARA
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING

FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

REF:OCCL:MC

MEMORANDUM:

To: Tommy Oi, District Land Agent, Kaua'i
Land Division

FROM: Samuel J. Lemmo, Administrator
Office of Conservation and Coastal Lands

SUBJECT: REMOTE AUTOMATIC WEATHER STATIONS (RAWS)

TMKs: (4) 1-2-11:16 (Waimea) and 1-9-07:05 (Hanapepe)

Corr KA-09-146

FEB - 9 2009

The Office of Conservation and Coastal Lands (OCCL) has reviewed your request for comments on the Division of Forestry and Wildlife's (DOFAW) request regarding the use of State Land for a set of Remote Automatic Weather Stations.

The Hanapepe site is not in the State Land Use Conservation District, and OCCL has no comment on this.

The Waimea site is partially in the Resource Subzone. DOFAW is requesting either a right-of-entry or a possible Executive Order to the site. They propose to then place a free-standing weather station which would occupy a 25'x25' area.

OCCL is unsure where the exact location of the station would be. If it is in the Conservation portion of the Waimea parcel then we recommend that DOFAW contact our office to discuss what the permitting requirements might be. We have no comments on the proposed right-of-entry or Executive Order.

If you have any questions please contact Michael Cain at 587-0048.

PM1:56:49

FEB 10 '09

DLNR KDLO RCVD

EXHIBIT "B"